

Remarks/Arguments

Claims 1, 6, and 11 have been amended. No new claims have been added. No claims have been canceled. Claims 1-15 remain pending in this application. Reexamination and reconsideration of the application as amended are respectfully requested.

Rejection of Claims 1-15 under 35 USC § 112, Second Paragraph

The Examiner rejected claims 1-15 under 35 USC § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully traverse this rejection for the reasons set forth below.

The Examiner asserts that it is unclear as to which item “the item” is referring to in the claim limitation “retrieving an updated item if the item has been updated.” “The item” is an item from which the application program may be built, and the item is described in the user configuration. Accordingly, Applicants have amended the first element of claims 1, 6, and 11 to more particularly point out and distinctly claim the subject matter which Applicants regard as the invention as follows: “defining a user configuration of the application program corresponding to the particular user of the application program, the user configuration describing an item from which the application program may be built.” These claim amendments are supported in the

Specification at page 5, lines 7-10, lines 12-14, and lines 28-29; and at page 14, lines 1-5 and lines 9-12.

The Examiner asserts that it is unclear as to what it means to be “updated.” As stated above, “the item” is an item from which the application program may be built, and the item is described in the user configuration. “An updated item” is produced if the item has been updated. Accordingly, Applicants have amended the first element of claims 1, 6, and 11 to more particularly point out and distinctly claim the subject matter which Applicants regard as the invention as follows: “determining if the item ~~any items~~ described in the user configuration ~~have~~ has been updated producing an updated item.” These claim amendments are supported in the Specification at page 5, lines 8-12 and lines 12-14, and at page 14, lines 1-5 and lines 7-12.

The Examiner asks what does it mean specifically to build the application program, to build or rebuild the application program or simply to update the application program with the updated item. Although an application program may be updated without building or re-building the application program, the present invention updates the application program by building or re-building the application program.

As Applicants have amended claims 1, 6, and 15 making appropriate amendments such that the claims particularly point out and distinctly claim the subject matter which Applicants regard as the invention, Applicants respectfully request that the Examiner reconsider and withdraw the 35 USC § 112, second paragraph, rejections of independent claims 1, 6, and 11, and dependent claims 2-5, 7-10, and 12-15.

Rejection of Claims 1, 6, and 11 under 35 USC § 103(a)

The Examiner rejected claims 1, 6, and 11 under 35 U.S.C. § 103(a) as allegedly being anticipated by *Kenner et al.*, U.S. Patent No. 6,314,565 and further in view of *Stedman et al.*, U.S. Patent No. 6,262,726. Applicants respectfully traverse this rejection for the reasons set forth below.

In view of the above claim amendments, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejections of independent claims 1, 6, and 11.

Rejection under 35 U.S.C. §103(a) of Claims 2, 7, and 12

The Examiner rejected claims 2, 7, and 12 under 35 U.S.C. § 103(a) as being unpatentable over *Kenner et al.*, U.S. Patent No. 6,314,565, in view of *Stedman et al.*, U.S. Patent No. 6,262,726, and further in view of *Hsu*, U.S. Patent No. 5,894,515. Applicants respectfully traverse this rejection for the reasons set forth below.

Relative to dependent claims 2, 7, and 12, these dependent claims depend from independent claims 1, 6, and 11, respectively. Since these dependent claims depend from independent claims 1, 6, and 11, and Applicants believe they have successfully traversed the Examiner's rejection of independent claims 1, 6, and 11, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of dependent claims 2, 7, and 12.

Rejection under 35 U.S.C. §103(a) of Claims 3-5, 8-10, and 13-15

The Examiner rejected claims 3-5, 8-10, and 13-15 under 35 U.S.C. § 103(a) as being unpatentable over *Kenner et al.*, U.S. Patent No. 6,314,565 in view of *Stedman et al.*, U.S. Patent No. 6,262,726, and further in view of *Hsu*, U.S. Patent No. 5,894,515 and *Hayes, Jr.*, U.S. Patent No. 6,205,476. Applicants respectfully traverse this rejection for the reasons set forth below.

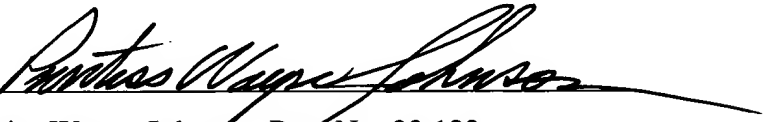
Relative to dependent claims 3-5, 8-10, and 13-15, these dependent claims depend from independent claims 1, 6, and 11, respectively. Since these dependent claims depend from independent claims 1, 6, and 11, and Applicants believe they have successfully traversed the Examiner's rejection of independent claims 1, 6, and 11, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of dependent claims 3-5, 8-10, and 13-15.

Conclusion

Applicants therefore respectfully request that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this Application, the Examiner is invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

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